

Mayor Patrick McCrory

Rod Autrey
Patrick D. Cannon
Nancy G. Carter
Mike Castano
Malcolm Graham

Mayor Pro Tem Susan Burgess

Don Lochman
James Mitchell, Jr.
Sara Spencer
Lynn Wheeler
Joe White

CITY COUNCIL MEETING
Tuesday, May 29, 2001

5:00 p.m.

Conference Center

Dinner Briefing
(See Table of Contents)

6:30 p.m.

Meeting Chamber

- **Invocation**
- **Pledge of Allegiance**
- **Citizens Forum**

7:00 p.m.

- **Awards and Recognitions**
- **Formal Business Meeting**

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. Piedmont Courts HOPE VI Application

Resource: Vi Lyles, City Manager's Office

Time: 30 minutes

Attachment 1

2. South District Plan Amendment

Resource: Laura Harmon, Planning

Time: 15 minutes

Attachment 2

3. Redistricting Committee Report

Committee Chair: Sara Spencer

Resource: Mike Boyd, City Attorney
Debra Campbell, Planning

Time: 15 minutes

Attachment 3

4. Committee Reports by Exception

**6:30 P.M. CITIZENS FORUM
MEETING CHAMBER**

**7:00 P.M. AWARDS AND RECOGNITIONS
MEETING CHAMBER**

CONSENT

5. **Consent agenda items 19 through 37 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

PUBLIC HEARING

6. Public Hearing on Statesville Avenue Corridor Area Plan

Action: A. Conduct a public hearing to receive citizen comments on the draft *Statesville Avenue Corridor Area Plan* Volume 1: Concept Plan; and

B. Adopt Volume 1: Concept Plan.

Staff Resource: Melony McCullough, Planning

Explanation:

The *Statesville Avenue Corridor Area Plan* is a long range plan for the revitalization of the Statesville Avenue Corridor. The study area is bounded by the old City Landfill to the north, Woodward Avenue to the south, Statesville Avenue to the east and Graham Street to the west. Neighborhoods that abut this corridor include Double Oaks, Druid Hills, Kohler Avenue, and J. T. Williams. Consultants from LDR International, an HTNB Company, were hired by Charlotte-Mecklenburg Housing Partnership to prepare a long-term housing and redevelopment plan for the Statesville Avenue Corridor. The plan builds on recommendations included in the Druid Hills Neighborhood Action Plan and the Central District Plan.

The plan is divided into two parts, Volume 1: Concept Plan and Volume 2: Implementation Plan.

1. *Volume I: Concept Plan* identifies planning challenges and includes goals and recommendations for improving the overall community. This is the only document that staff is requesting Council consider for adoption.
2. *Volume II: Implementation Plan* spells out implementation strategies for the next ten to fifteen years.

The plan primarily includes recommendations for land use and zoning changes, housing, infrastructure development, and parks and open space. Land use recommendations in the plan, if approved, would amend land use recommendations in the Central District Plan for this area. The plan builds on the *Druid Hills Neighborhood Action Plan* which was completed in 1997 and takes into consideration the goals and recommendations included in that plan.

Charlotte-Mecklenburg Housing Partnership (CMHP) is requesting that a decision be made on this request the night of the hearing. CMHP has applied for a tax credit for an elderly housing development in the Druid Hills neighborhood; points for the tax credit are given for areas with an approved plan in place. If this plan is approved on May 29, it will increase CMHP's

chances of receiving funds for this project. Staff recommends that City Council consider this request to adopt the plan the night of the hearing.

Community Input:

During the plan development process, a meeting was held to receive public input and periodic updates were provided at neighborhood organization meetings.

Committee Discussion:

The Economic Development and Planning Committee discussed the draft plan at their April 11 meeting. Committee members in attendance were Lynn Wheeler, Don Lochman, and Nancy Carter. Planning staff provided committee members with a brief overview of the concept plan and Pat Garret, Charlotte-Mecklenburg Housing Partnership, gave a more detailed overview of recommendations in the plan.

Councilmembers were pleased to see this plan come forward and that the area is receiving some attention. After a brief discussion, it was recommended that City Council hold a public hearing to receive input on the plan.

The plan was adopted by the Charlotte-Mecklenburg Planning Commission on April 2 with minor modifications. The Planning Commission recommended the plan be amended to provide for a community center being developed somewhere in the neighborhood in the early phases of the plan, rather than the latter phases.

Attachment 4

- Draft Statesville Avenue Corridor Area Plan
- Volume I: Concept Plan and Volume II: Implementation Plan

7. Public Hearing on the FY2002 and FY2003 Operating Budgets and the FY2002-2006 Capital Investment Plan

Action: Receive public comment on the City Manager's recommended budget.

Committee Chair: Lynn Wheeler

Staff Resource: Curt Walton, Budget & Evaluation

Explanation:

State law requires a public hearing be held following presentation of the Manager's recommended budget (May 7, 2001) and prior to Council adoption of the budget (June 4, 2001).

State law also requires that a public notice be published following presentation of the Manager’s recommended budget and before the scheduled public hearing. The required public notice was published in local newspapers on May 17-18, 2001.

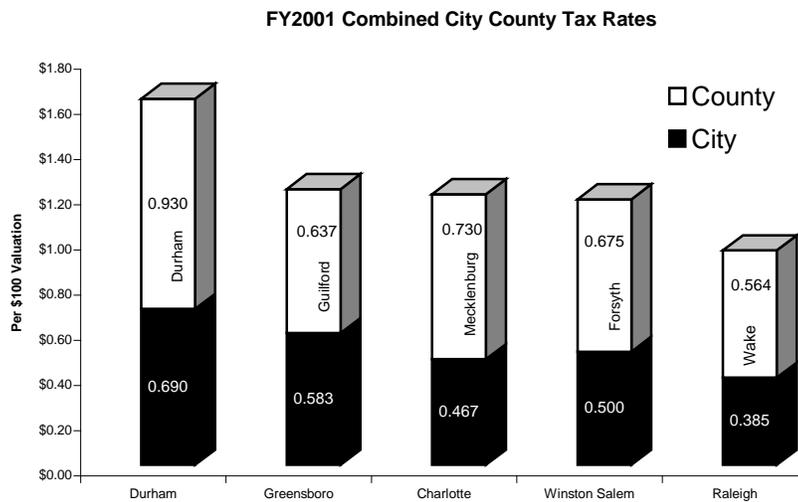
FY2002 Budget Summary:

The total recommended budget is \$1.37 billion with \$683.5 million for operating expenses and \$686.6 million for capital expenditures.

Revenues:

Significant revenues include:

- A property tax rate of 46.70¢ per \$100 of property valuation for FY2002, which is the same tax rate as the current year.



- A water/sewer rate increase of 5.04%, a \$1.76 average monthly increase
- An increase in storm water fees of 7.5%, an average monthly variable rate increase from \$3.41 to \$3.67
- A new monthly service fee of 73¢ for each wired-telephone account to fund enhancements to the Public Safety (911) services communications systems, including replacement of Police and Fire emergency services dispatch equipment

Expenses

Operating Budget

Major expansions in the operating budget include:

- \$8.6 million extends City services to seven new land areas within the June 30, 2001 annexation, including 16.5 square miles and 22,301 residents. 110 positions and two new fire stations are included.
- \$5.9 million funds maintenance, repairs and renovation to the Airport's parking decks and older portions of the terminal.
- \$3.9 million is included to upgrade the Fire Department's emergency services dispatch (911) equipment.
- \$2.9 million expands transit access to additional regional, town and community transit services.
- \$1.0 million is included to enhance the City's Geographic Information Systems.
- \$683,493 funds increased power for pumping and chemicals and other lab supplies for the increased workload in the water and wastewater treatment plants.
- \$603,110 funds 5 positions, operating expenses and contractual services to support the City's Smart Growth initiatives and conditional use zoning process.
- \$306,646 funds 5 positions and equipment to implement the second phase of the storm water water quality permitting process.
- \$301,055 supports 4 positions and equipment in Transportation for a new traffic signal system coordination team.
- \$215,536 funds 9 positions and equipment for operations and maintenance of the Airport's new terminal and concourse facilities.
- \$213,141 adds 4 positions to support Neighborhood Development's neighborhood problem solving and housing resource strategies.
- \$192,686 funds additional maintenance on reserve sanitation vehicles to minimize potential service delays caused by out of service vehicles.
- \$189,507 is included for 3 positions and operations of the new, larger Police and Fire Training Academy.

The operating budget includes a reduction of \$773,579 in the cost of providing garbage collection services in the City's South Quarter.

Capital Budget

Major initiatives in the capital budget include:

- \$269.5 million in voter-approved general obligation bonds, including \$179.7 million in street bonds and \$40.0 million in housing bonds in FY2002, and \$49.8 million in street bonds in FY2004
- \$40.0 million in two-thirds bonds for 8 projects:
 - \$10.0 million for Affordable Housing
 - \$4.0 million for Smart Growth land acquisition
 - \$8.0 million for Eastside Strategy Plan
 - \$3.6 million for West Side Strategy Plan
 - \$4.9 million for Midtown Square redevelopment

- \$2.0 million for Stonewall Street pedestrian access
- \$2.0 million for fire burn building replacement
- \$5.5 million for Tryon Street Mall renovations - Phase II
- \$392.3 million in certificates of participation for 4 projects:
 - \$342.0 million for sports/cultural facilities
 - \$23.7 million for the Central Yard
 - \$15.6 million for the Public Safety digital communications upgrade
 - \$11.0 million for Federal Courthouse land protection
- \$190.1 million in Pay-As-You-Go and Current Revenue general government projects, including:
 - \$3.3 million as the City's matching requirement for the HOME grant
 - \$3.5 million for business corridors (supplemented with bond funding)
 - \$92.0 million for the City's maintenance of effort payment to Transit
 - \$28.3 million for Innovative Housing
 - \$6.0 million for Smart Growth land acquisition (FY2004-2006)
 - \$19.0 million for building and roof maintenance
- Major Storm Water projects include:
 - \$21.0 million for repairs to the existing storm water system
 - \$19.7 million for storm water restoration
- Major Charlotte Area Transit System projects include:
 - \$391.0 million for South and North Corridors development
 - \$61.3 million for new and replacement buses
- Major Water and Sewer projects include:
 - \$96.0 million for expansions to McDowell Creek and McAlpine Creek wastewater treatment plants
 - \$75 million for upgrades to the Catawba (raw water) Pump Station and for a major water transmission main to southwest Charlotte
 - \$58.0 million for water and sewer line rehabilitation
- Major Aviation projects include:
 - \$80.0 million for a new third parallel runway
 - \$65.0 million for continued expansion of air cargo operations
 - \$60.0 million for additional airport parking

Proposed Amendments to the Recommended Budget

On May 15, City Council identified the following items as possible amendments to the Manager's recommended budget:

- Consideration of a "Living Wage" adjustment for City employees below \$9 per hour (\$460,387);
- Moving \$40 million in housing bonds from a November 2002 referendum to a November 2001 referendum (no financial impact);
- Consideration of options for transitioning police officers into the Senior Police Office program prior to the program's elimination (approximately \$1 million).
- Contributing \$25,000 to Mecklenburg County to support its study on homelessness;

- The City taking financial responsibility for McGill Rose Garden (\$118,000);
- Additional funding for the Gethsemane-Greater Enrichment Program (\$83,000);
- Funding for the Voices and Choices of the Central Carolinas organization (\$75,000);
- Consideration of additional support staff for City Council (\$100,000);
- Contributing \$25,000 to the Film Division of the Carolinas Regional Partnership.

Council will consider these amendments to the recommended budget on May 30.

Calendar

- Council's final budget retreat is scheduled for May 30, 2001 at 1:30 p.m.
- Budget adoption is scheduled for June 4, 2001 at 7:30 p.m.
- Council is required by state law to adopt a budget on or before June 30 of each year.

ZONING PETITIONS

8. Zoning Petition 2000-132

Action: Consider decision on Petition 2000-132 by Robert C. Rhein Interests, Inc. for a change in zoning of approximately 63.3 acres located at the end of Smithfield Church Road from R-3 to MX-1.

Staff Resource: Keith MacVean, Planning

Explanation:

This petition was on the agenda for a decision on May 21, 2001.

Four Council Members were absent at the decision meeting and the required six votes could not be met for a decision.

Attachment 5

- Zoning Committee Recommendation
- Staff Analysis

9. Zoning Petition 2001-44

Action: Consider decision on Petition 2001-44 by Hendrick Automotive Group for a change in zoning for approximately 13.3 acres located on the west side of Dion Avenue, south of City View Drive and east of E. Independence Boulevard from R-1 to B-2(CD).

Staff Resource: Keith MacVean, Planning

Explanation:

This petition was on the agenda for a decision on May 21, 2001.

This petition was protested invoking the ¾-vote rule.

Four Council Members and the Mayor were absent at the decision meeting. It has been Council's policy not to vote on protested petitions unless the full Council and Mayor are in attendance.

Attachment 6

- Zoning Committee Recommendation
- Staff Analysis

10. Zoning Petition 2000-45

Action: Consider decision on Petition 2001-45 by Gibraltar Properties Development Group, LLC for a change in zoning for approximately 21.8 acres located on the southwest corner of Mallard Creek Road and Driwood Court from R-3 and B-1 to R-12MF (CD).

Staff Resource: Keith MacVean, Planning

Explanation:

This petition was on the agenda for a decision on May 21, 2001.

This petition was protested invoking the ¾-vote rule.

Four Council Members and the Mayor were absent at the decision meeting. It has been Council's policy not to vote on protested petitions unless the full Council and the Mayor are in attendance.

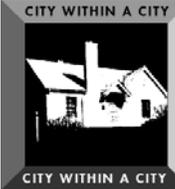
Attachment 7

- Zoning Committee Recommendation
- Staff Analysis

POLICY

11. City Manager's Report

12. Piedmont Courts Application Letter of Support and Resolution



Action: Approve the City Within a City Committee's recommendation to provide a Letter of Support and Resolution for the Piedmont Courts HOPE VI application.

Committee Chair: Rod Autrey

Staff Resource: Vi Lyles, City Manager's Office

Policy:

The CWAC Focus Area provides the general policy framework for supporting the redevelopment of the Piedmont Courts community. Piedmont Courts is located in the fragile Belmont neighborhood and the City's revitalization strategy calls for undertaking comprehensive initiatives to address housing, infrastructure, social and crime conditions.

Explanation:

The Charlotte Housing Authority (CHA) Board of Commissioners has requested the City's participation and commitment to the Piedmont Courts HOPE VI application for the redevelopment of the Piedmont Courts community. The HOPE VI application deadline is June 22, 2001.

The proposed Piedmont Courts Redevelopment Plan calls for the development of 417 units. This includes 391 rental units and 26 units for sale units. Total cost for the development is estimated at \$46.5 million.

Phase I of the development will consist of 249 units developed on the current Piedmont Courts site. The site development program consists of 100 multi-family units for CHA Family Self-Sufficiency (FSS) participants, 99 multi-family units at tax credit rent structures and 24 public housing units for seniors. The homeownership component will consist of 26 townhouse units, 10 of which will be sold to public housing residents.

Phase II development will consist of 168 rental units that will be developed on sites throughout the community. One hundred and eight (108) units will serve as replacement housing for dislocated Piedmont Court residents. The Charlotte Housing Authority will work with the City to identify suitable sites for the additional development.

Pursuant to a request from the Charlotte Housing Authority, the CWAC Committee is recommending that the City issue a letter of support for the Piedmont Courts HOPE VI application which commits to the following:

Component	Impact	Cost
1. Donate .68 acre parcel on the westside of Seigle Avenue	Requires the relocation of Street Maintenance Division to the City's Tuckaseegee Road Landscaping Division site	\$20-\$25 million*
2. Provide extensive landscaping along the eastside of Seigle Avenue	This will screen the City's Central Yard Facility from the proposed development.	Included in the above cost
3. Contribute capital for infrastructure development	This will assist in onsite and offsite infrastructure development for the project.	\$5.8 million
4. Provide financing for off-site replacement housing	The City will assist CHA in finding and financing off-site replacement housing and provide down-payment assistance to qualifying households.	\$4.2 million
Total Cost		\$30-\$35 million

* - Improvements to the Central Yard facility are already included in the 5-Year Capital Improvement Program and other commitments will be included in a future CIP pursuant to grant approval.

Additionally, the CWAC Committee is recommending that the City Council pass a resolution endorsing a long term redevelopment vision for the Belmont area, including making some of the 37-acre Central Yard site available for redevelopment contingent upon receiving federal assistance for the relocation of City facilities (Light Vehicle Maintenance, Street Maintenance, and Fire Department Logistics) and remediation of potential Brownfield issues. The CWAC Committee reviewed options for the relocation of portions of the Central Yard Facility. Estimated cost for relocation ranged as high as \$50 million with remediation of Brownfield impact unknown at this time. Congressman Mel Watt appeared before Council during the May 7, 2001 Workshop to request that the City's Central Yard Facility be included in the vision for a revitalized Piedmont Courts community.

Background:

The HOPE VI Program is a competitive grant program sponsored by the U.S. Department of Housing and Urban Development. This program provides selected public housing authorities with funding to partner with local entities to revitalize deteriorated public housing communities and provide supportive services to the residents in the community.

On September 12, 2000 the CHA Board of Commissioners voted to submit a HOPE VI Application for the revitalization of the Piedmont Courts community. The Piedmont Courts community currently consists of 242 units on a 22-acre site located at 10th Street and Seigle Avenue.

The CHA competitively procured HDR to serve as the Master Planner for the project and the Crosland Group to serve as the Master Developer/Partner for the project. These selection processes included City participation. The Master Planner conducted a neighborhood design charette February 27-March 1, 2001. The redevelopment concepts as established through the charette process were incorporated into a Master Plan for the community, which is based upon new urbanist design principles.

The Charlotte Housing Authority and the Crosland Group briefed Council on their request for assistance at the City Council Workshop on May 7, 2001. The City Within A City Committee toured the neighborhood and reviewed the Charlotte Housing Authority's request on May 16, 2001.

Attachment 8

- Letter of Support
- Resolution
- Proposed Site Development Map
- Proposed Proforma

13. Modifications to the Conditional District Rezoning Process

Action: Approve refinements and modifications to the conditional rezoning process.

Staff Resource: Keith MacVean, Planning

Explanation:

Charlotte-Mecklenburg's previous conditional rezoning process was invalidated by a judge in April of 2000. Subsequently, the Planning Commission undertook an extensive public involvement process to consider options for a new conditional rezoning process. Three community workshops were held where various options were presented and discussed. Ultimately, Charlotte and Mecklenburg County elected officials opted to pursue enabling legislation from the State legislature that would permit a revised legislative conditional rezoning process.

In summer of 2000 that enabling legislation was passed and included four new requirements:

- The petitioner must conduct or seek to conduct a community meeting prior to the public hearing on the rezoning petition.
- Rezoning decisions must be made "in consideration of" land use plans.

- Restrictions have been placed on “lame duck” voting by elected officials. This generally precludes votes on controversial petitions between the date of an election and the date the new council takes office.
- A “sunset” provision, effective August 31, 2001, is attached to the enabling legislation. That provision allows the legislature to review Charlotte-Mecklenburg’s new legislative rezoning procedure.

Once the new interim conditional rezoning process was adopted, the Planning Commission began looking at additional improvements to the process. The Planning staff began by reviewing the comments that had been made during three community workshops held prior to the elected officials opting to pursue the enabling legislation.

The staff evaluated these comments and prepared responses to the outstanding issues. They developed tentative recommendations and presented these to the Smart Growth Task Force for comments. Staff met with the task force three times. The Smart Growth Task Force last met on November 29, 2000 and discussed the recommendations of staff and those forwarded by a “collaboration” of neighborhood and development industry representatives. No actual vote was taken by the Task Force with regard to endorsing any of the recommendations. Additional suggestions have since been received from a variety of interest groups.

Concerns over the conditional rezoning process have resulted in opposition to removal of the sunset provision attached to the enabling legislation. The proposed refinements (and changes already implemented) are needed to address these concerns and demonstrate to the legislature that Charlotte-Mecklenburg has a sound conditional rezoning process.

As a result of suggestions made at the May 21st public meeting, some changes (in bold) have been made to staff’s recommendations. The Planning Commission staff now recommends the following additional refinements to the conditional district rezoning process:

- A. Making more information available to the general public, and particularly to interested parties, regarding rezonings. Examples of additional information to be provided include:
 - A flowchart and timeline of the rezoning process will be included in mailed notifications.
 - A list of staff to be contacted for questions will be included in the mailed notifications.
 - The list of neighborhood organizations will be available through the Internet. E-mail addresses will be added as the list is updated.
 - More detailed information regarding protest petitions will accompany the notification and will include how a protest petition can be filed and how names can be removed from a protest petition.
 - More “Planning 101” classes (**six per year**) will be scheduled to educate citizens on the rezoning process and planning in general.

Several of these will be conducted at locations other than the Government Center.

- B. Notifying interested parties by e-mail
- C. Increasing the number of people that receive mailed notification of requested rezonings. Currently, property owners within 100 feet of a rezoning receive mailed notice. That distance should be increased to 300 feet. This is beyond the statutory requirement that only abutting property owners must be given mailed notice.
- D. The FY02 recommended operating budget includes five new positions for the Planning Commission. This will enable more information to be available over the internet, will permit the three-year review of conditional rezonings to be resumed, will provide additional staff to attend community meetings when invited, and will permit acceleration of updates of adopted area plans.
- E. Changing existing policy to eliminate last-minute deferrals. **The Planning staff is recommending that if a deferral is requested later than 5:00 p.m. the Tuesday prior to the public hearing, the hearing must be opened on the scheduled date but can then be continued. The continuation would allow opponents another ten minutes to speak at the continuation. This prevents groups arriving for a public hearing and having to go home without being heard.**

Requests for deferral received prior to 5:00 p.m. the Tuesday before a scheduled public hearing would normally be approved and the deadline for protest petitions would be extended commensurate with the length of deferral. If a request for deferral is made after the legally required mailed notification (10-25 days prior to public hearing) the petitioner would bear the cost of mailing out notifications of the deferral. The Planning Commission staff would actually undertake the mailed notification.

- F. Increasing the time between the public hearing and the Zoning Committee work session by two days. This will allow more time for interested parties to contact Zoning Committee members. It will also still provide sufficient time for staff to disseminate Zoning Committee recommendations and for interested parties to contact Council members prior to the decision meeting.
- G. Placing rezoning applications, site plans, and staff analyses on the Internet by July 2001

Community Input:

Following meetings with the Smart Growth Task Force, the Charlotte-Mecklenburg Planning Commission conducted a public work session on May 3, 2001. On May 7, the Commission met to discuss and act upon the staff's recommendations. They voted to endorse the refinements proposed by the staff. The planning staff also presented this information to the City Council during the May 7 workshop. City Council conducted a public meeting on this topic on May 21, 2001. Several speakers supported the proposed refinements, while others suggested further modifications.

14. Charlotte Area Transit System (CATS): FY2002-FY2003 Transit Programs



Action: Approve CATS FY2002-FY2003 Transit Programs which were approved by the Metropolitan Transit Commission on March 28, 2001.

Staff Resource: Ronald Tober, CATS

Policy:

The February 1999 Transit Governance Interlocal Agreement calls for the Mecklenburg County Board of Commissioners and the Charlotte City Council to each approve the capital and operating programs for CATS.

Explanation:

This item was presented to Council on April 9, 2001. Council deferred action on this item until May 14, 2001. Councilman Autrey requested information on the one-half cent sales tax and transit expenses for each of the Mecklenburg County Towns. This information was provided to Council on May 4, 2001 through a Mayor and Council Communication. Council again deferred action on this item until May 29, 2001 to obtain additional information on CATS capital expenditures over the next two years.

On March 28, 2001, the Metropolitan Transit Commission (MTC) approved CATS FY2002-FY2003 Transit Programs developed in accordance with the following policy directives:

- Continued implementation of the 2025 Integrated Transit/Land Use Plan
- Achievement of CATS Mission, Vision and Strategic Goals
- CATS Financial Policies

The Mecklenburg Board of County Commissioners approved CATS FY2002-FY2003 Transit Program on April 18, 2001.

The \$143,889,585 FY2002 Transit Program includes \$59,472,833 for operating programs, \$82,062,600 for capital improvements and \$2,354,152 for the transit capital reserve fund. In FY2003, the \$176,289,366 Transit

Program allocates \$66,321,312 to operating programs, \$105,817,440 to capital improvements and \$4,150,614 to the transit capital reserve fund.

Key elements and assumptions in the FY2002-FY2003 Transit Programs are:

- Ridership is projected to increase by 5% per year from 13.4 million riders in FY2000 to 15.5 million in FY2003.
- Total revenue hours of services delivered in FY2002 will increase by 45% over FY2000 with a further 12% increase in FY2003 through
 - increased service on existing regular bus routes,
 - new regular bus routes,
 - new community/town based circulator service,
 - new activity center circulators with 50% private sector funding and
 - new regional express bus routes.
- Basic customer service will be improved through
 - centralization of customer telephone information and complaint handling services,
 - addition of reserve drivers for Special Transportation Services,
 - replacement of all bus stop signs with new ones containing route and schedule information and
 - start of an on-going program to install passenger shelters and other customer amenities at bus stops.
- Human Services Transportation for County DSS is continued at a 10% increased level which is consistent with adopted MTC policy.
- Continued progress on rapid transit improvements in the 2025 Plan Corridors including
 - completion of preliminary engineering and final environmental impact statement in the South Corridor and start of final design,
 - completion of major investment studies in the other four corridors and selection of locally preferred alternatives and a downtown transit plan,
 - start of preliminary engineering in the north corridor and a third corridor and
 - right-of-way acquisition including \$15 million for the Norfolk Southern line parallel to I-77/North.
- Sales tax revenues are projected to grow by 5% in FY2002 and 4% in FY2003.
- Aggressive assumptions on state and federal grant funding have been made for the capital program.
- Capital reserves reach \$81,229,128 in FY2002 and \$85,379,742 in FY2003.

- No fare increase is assumed.

Committee Discussion:

The FY2002-2003 Transit Program was presented to Council at the February 14, 2001 Budget Workshop.

Community Input:

The Citizens Transit Advisory Group and the Transit Services Advisory Committee reviewed the FY2002-2003 Programs and recommended adoption by the MTC.

The Metropolitan Transit Commission unanimously approved the FY2002-FY2003 Transit Program on March 28, 2001.

Funding:

Public Transit Fund

Attachment 9

- FY2002-FY2002 Transit Program Summary
- FY2002-FY2003 Operating & Capital Program Detail
- FY2002-FY2006 Capital Improvement Program

BUSINESS

15. Carolina Theatre Appointment

Action: Vote on blue ballots and give to City Clerk at dinner.

One vacancy exists to replace Neysa Brown who resigned. Term would begin immediately.

Jeff Bradsher by Councilmembers Spencer and Cannon
Peter Pappas by Councilmember Wheeler

16. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified. Council may accept the recommendation of the staff advisor and appoint at this meeting if desired.

A. PASSENGER VEHICLE FOR HIRE BOARD

This item was deferred from the May 14 meeting.

Nominate one person from each category for a total of five citizens to serve two year terms beginning July 1, 2001. Applications are attached for each candidate.

Category one is a taxicab, limousine or other vehicle for hire company owner. Candidates are:

Frank Darryl Brooks, Mid-State Transport (wheel chair transport)
Barry Canter, Hollywood East Limousines
Zebene Mesele, AA Prestige Taxi Services
Karen Carter-Norman, Riches & Roses (limousines)
Jerry Williams, Yellow Cab Company

Category two is the vehicle owner of a passenger vehicle owner for hire or limousine. Candidate is:

Francis (Frank) Caldwell Hinson

Category three is a user of passenger vehicles for hire. Candidates are:

Jeannette S. Chandler
Evelyn Davis Mitchell

Category four is a representative of the hospitality/tourism industry. Candidates are:

Stacy Brown - Hospitality & Tourism Alliance
Al Wheeler - Trip Magazine

Category five is a person with a disability or a representative from an organization that represents persons with disabilities. Candidates are:

Nina Joan Cobb - Retired
Robert Kimrey - Gold Imaging, IT Manager

Attachment 10

Applications

17. Appointments to Boards and Commissions

Action: Vote on blue ballots and give to City Clerk at dinner.

A. AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY

One, three-year position to replace Stan Vaughan, beginning May 2001.

Max Jackson by Councilmember Carter
Cyndee Patterson by Councilmember Autrey
Don Reid by Councilmember Castano
Wayne Shusko by Councilmember Lochman
Lenny Springs by Councilmembers Cannon & Wheeler

Attachment 11

Applications

B. CITIZENS REVIEW BOARD

Two vacancies exist to replace Harold Cogdell, Jr. and Bobby Miller who have both resigned. The applicant must be a graduate of the Citizens Academy. The attached applicants meet that requirement. Terms will begin immediately and end July 2003.

Reuben Blalock by Councilmember Autrey
Kelvin Carter by Councilmember Cannon
Ann Whitworth by Councilmember Carter
Linda Williams by Councilmembers Carter & Graham

Attachment 12

Applications

C. TRANSIT SERVICES ADVISORY COMMITTEE

One position beginning immediately and serving until January 2004.
There was a tie vote on May 14.

Sherry Miller by Councilmember Cannon
Rebecca Potts by Councilmember White

Attachment 13

Applications

18. Set Date to Consider and Act on Proposed Development Agreement with Charlotte Hornets

Action: Recess and reconvene May 29 City Council meeting to continue on Wednesday, May 30 at 5:30 p.m. in the CMGC Chamber.

Staff Resource: Cindy White, City Attorney's Office

Explanation:

On April 30, 2001, City Council approved a Memorandum of Agreement with the Charlotte Hornets regarding the proposed new arena. That Memorandum of Agreement provides that on or before May 31, 2001 the City and the Charlotte Hornets will execute a Development Agreement governing development and construction of the proposed new arena. The purpose of reconvening the meeting is to consider and take action on the Development Agreement as proposed by City staff.

City staff is in the process of negotiating the Development Agreement with the Charlotte Hornets and will provide the proposed Development Agreement to City Council by the end of the day on May 29, 2001. City staff will present a summary of the Development Agreement.

The Development Agreement will provide that the City is not obligated to proceed with the arena project unless certain conditions are met, including but not limited to each of the following:

- The June 5th referendum has passed
- The proposed state legislation regarding the arena has been passed in a form reasonably acceptable to the City
- The City has purchased the arena site
- City Council has approved all remaining contracts with the Charlotte Hornets relating to the arena and the Charlotte Hornets have executed all such contracts

- The City has entered into construction contracts with construction contractors, in form and substance satisfactory to the City, and the City reasonably believes that the arena project can be constructed at a total cost not to exceed \$190,000,000, and

- The City, the architect and any construction manager retained by the City reasonably believe that the arena project can be beneficially completed to the extent necessary to allow the Charlotte Hornets to play their last two preseason home games in the arena after October 1, 2003.

Introduction to CONSENT

The consent portion of the agenda is divided into two sections: Consent I and Consent II.

Consent I consists of routine items that have been approved in the budget, are low bid, and have met MWBD criteria.

Consent II consists of routine items that have also been approved in the budget, but may require additional explanation.

Minority and Women Business Development Program (MWBD) Abbreviations:

- BBE – African American
- ABE – Asian American
- NBE – Native American
- HBE – Hispanic
- WBE – Non-Minority Women

Contractors and Consultants

All contractors and consultants selections follow the Council approved process unless explained otherwise.

CONSENT I

19. Various Bids

A. Monroe/Bainbridge Capital Improvement Project E&PM

Recommendation: The City Engineer recommends the low bid of \$1,287,324.66 by KIP Corporation of Charlotte, North Carolina. Storm water system upgrades are necessary due to frequent flooding of streets and homes in the Monroe/Bainbridge project area. This project includes storm drainage improvements along a system running under Monroe Road at the Castlewood Apartments, down Bainbridge Drive and Knickerbocker Drive. Improvements will include culvert and pipe replacement and channel stabilization. Construction will require a weekend closure of two lanes of Monroe Road during the winter of 2001-2002.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	4%
WBE	\$0	0%	3%

MWBD Compliance: Yes. KIP Corporation will self-perform.

B. Water Main Construction – FY01 Contract U–Water Main Replacements Utilities

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$1,163,762.78 by Dallas 1 Construction, LLC of Charlotte, North Carolina.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	8%
WBE	\$0	0%	5%

MWBD Compliance: Yes. Dallas 1 will self-perform.

C. Water Main Construction – FY01 Contract V– Water Main Rehabilitation Utilities

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends that the low bid of \$2,085,600.30 by Heitkamp, Inc. of Watertown, Connecticut be accepted.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$0	0%	6%
WBE	\$0	0%	6%

MWBD Compliance: Yes. Heitkamp will self-perform all aspects of the project except for the epoxy lining. There are no known minority/women companies for this specialized type of construction.

D. Water and Sewer Main Construction – FY01 Contract #110 - Street Main Extensions Utilities

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends that the low bid of \$828,361.20 by UW2 Contractors, Inc. of Stanfield, North Carolina be accepted.

MWBD Status:	Amount	% of Project	Project Goals
BBE	\$19,000	2%	5%
WBE	\$40,000	5%	6%

MWBD Compliance: Yes. UW2 has made the good faith effort.

20. In Rem Remedy

For In Rem Remedy #A - #I, the public purpose and policy are outlined here.

Public Purpose:

- Eliminate a blighting influence in a City Within A City neighborhood.
- Reduce the proportion of substandard housing.
- Increase tax value of property by making land available for potential infill housing development.

Policy:

- City Within A City
- Community Safety Plan

The In Rem Remedy items were initiated from 3 categories:

1. Public Safety – Police and/or Fire Dept.
2. Complaint – petition by citizens, tenant complaint or public agency referral
3. Field Observation – concentrated code enforcement program

The In Rem Remedy items are listed below by category identifying the street address and neighborhood.

Public Safety

- A. 308 Solomon St. (Biddleville)
- B. 2125-29 Greenway Ave. (Elizabeth/Colonial Heights)
- C. 3600 Corbett St. (Westerly Hills)
- D. 1408 Seigle Ave. (Belmont)
- E. 1829 Vinton St. (Oaklawn Park)

Complaint

- F. 7608 Free Bird Ave. (Neighborhood Statistical Area #123)
- G. 4101 Sofley Road (Sugar Creek/Ritch Ave.)
- H. 1215 Harrill St. (Belmont)

Field Observation

- I. 915 Rodey Ave. (Druid Hills North)

Public Safety

A. 308 Solomon St.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 308 Solomon St. (Biddleville Neighborhood), located in the City Within A City boundaries.

Attachment 14

B. 2125-29 Greenway Ave.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2125-29 Greenway Ave. (Elizabeth/Colonial Heights Neighborhood), located in the City Within A City boundaries.

Attachment 15

C. 3600 Corbett St.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 3600 Corbett St. (Westerly Hills Neighborhood), located in the City Within A City boundaries.

Attachment 16

D. 1408 Seigle Ave.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1408 Seigle Ave. (Belmont Neighborhood), located in the City Within A City boundaries.

Attachment 17

E. 1829 Vinton St.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1829 Vinton St. (Oakawn Park Neighborhood), located in the City Within A City boundaries.

Attachment 18

Complaint

F. 7608 Free Bird Ave.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 7608 Free Bird Ave (Neighborhood Stastical Area #123), located outside the City Within A City boundaries.

Attachment 19

G. 4101 Sofley Road

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 4101 Sofley Road (Sugar Creek / Ritch Ave. Neighborhood), located in the City Within A City boundaries.

Attachment 20

Field Observation

H. 1215 Harrill St.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1215 Harrill St. (Belmont Neighborhood), located in the City Within A City boundaries.

Attachment 21

Field Observation

I. 915 Rodey Ave.

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 915 Rodey Ave. (Druid Hills Neighborhood), located in the City Within A City boundaries.

Attachment 22

21. Refund of Taxes

Action: A. Adopt a resolution authorizing the refund of property taxes assessed through clerical error in the amount of \$1,042.31.

B. Adopt a resolution authorizing the refund of business privilege license payments made in made in the amount of \$11,361.62.

Attachment 23

List of Refunds

CONSENT II

22. Ground Lease Agreement between Mecklenburg County and the Dalton Village Outreach Center



Action: Authorize the City Manager to join in the execution of a lease agreement between Mecklenburg County Park & Recreation and the Dalton Village Outreach Center to allow for financing and construction of a community center at Clanton Park.

Staff Resource: Stanley Watkins, Neighborhood Development

Policy:

The CWAC Focus Area provides the general policy framework for supporting the redevelopment of the Dalton Village HOPE VI project. Dalton Village is located in a fragile neighborhood and the focus area strategy calls for undertaking comprehensive initiatives to address housing, infrastructure, social and crime conditions.

Explanation:

The 1992 City/County Park and Recreation Consolidation Agreement gave ownership of the City park property to the County. However, the Agreement provides that:

- the City must agree to any sale of the property; and
- in the event the property is no longer used for park and recreation purposes, the City can request the property back.

On August 15, 2000, Mecklenburg County Commissioners approved a proposal from Dalton Village Outreach Center (DVOC) to develop a community center with a 26-year ground lease for the land the center will be built on in Clanton Park. DVOC has obtained a construction financing commitment from BB&T Bank, pending an assurance that the lease will not violate the conditions of the Park and Recreation Consolidation Agreement.

The Mecklenburg County Commissioners now seek the City's consent to the lease, expansion of the park and recreation restriction to include the community outreach center, acknowledgment of the terms and conditions of the lease, and allowance of the lease to remain in place while the County and DVOC fulfill their obligations under the lease.

Mecklenburg County Park and Recreation has agreed to manage the center programmatically and operationally. After 25 years, the lease and the deed of trust would be cancelled and the County would own the facility free and clear of any encumbrances.

The Community Center will be known as Arbor Glen Outreach Center until officially named or renamed. The property will be used only and exclusively for park and recreation purposes and for programs such as after school

programs for youth, programs for single parents, adult education classes, alcohol and drug abuse programs, job training, and community outreach programs.

Background:

On April 9, 2001, City Council consented to the conveyance of 5.72± acres (a portion of Tax Parcel 145-128-01) of Clanton Park property by Mecklenburg County to the Charlotte Housing Authority and relinquished reversionary rights to lift the restriction that the land must be used only for park and recreation purposes. The Charlotte Housing Authority (CHA) wants to purchase the undeveloped portion of formerly City owned property from the County. CHA and New Dalton LLC will develop the property with approximately 34 single-family residential units as a component of the rehabilitation of Dalton Village funded by a HOPE VI federal grant.

The Dalton Village community is located on 32.5 acres on the southwest corner of West Boulevard and Clanton Road. The community is adjacent to the Reid Park Neighborhood.

The original 300-unit complex was constructed in 1970 and has been owned and operated by CHA since that time. In December 1997, CHA received a \$24.5 million HOPE VI grant from HUD for the redevelopment of Dalton Village.

On January 25, 1999, City Council approved the Dalton Village Master Plan and made a \$2 million commitment for infrastructure improvements for Dalton Village. On November 27, 2000, Council approved the infrastructure agreement grant between the Charlotte Housing Authority and City of Charlotte to fund \$2 million in infrastructure improvements for the Arbor Glen at Dalton Village, a HOPE VI Project.

Dalton Village redevelopment activities include replacing the previous 300-unit CHA apartment complex with 412 units of mixed-income housing. Of the 412 housing units, 358 will be available for rent and 54 will be available for homeownership. The 54 houses will be located on contiguous sites acquired from Mecklenburg County Park and Recreation Department and on land to be acquired in the adjacent Reid Park Neighborhood.

Attachment 24
Site Map

23. Weed and Seed Initiative Grant Award and Budget Ordinance



Action: Appropriate \$175,000 of Charlotte Weed and Seed Initiative Grant Award.

Staff Resource: Stanley Watkins, Neighborhood Development

Policy:

The Weed and Seed program supports the City Within A City (CWAC) strategy and the Westside Strategic Plan in addressing quality of life issues in Charlotte's older urban neighborhoods. Neighborhoods that struggle with issues of poverty, crime, high unemployment and physical decay need help to move toward stability.

Explanation:

The U.S. Department of Justice has approved the federal FY2001 Weed and Seed Grant application. The program year is eligible to start on June 1, 2001. Funding will be used to implement programs along the West Boulevard Corridor. Strategies include four elements:

- Law Enforcement
- Community Policing
- Prevention/Intervention/Treatment
- Neighborhood Restoration

Council is being asked to appropriate Weed and Seed funds to the City's Capital Account due to operational and financial challenges experienced by the Weed and Seed Program's administrative agent – the West Enterprise Community (WEC).

The Weed and Seed stakeholders (U.S. Justice Department - U.S. Attorney, WEC Board, Weed and Seed staff and Neighborhood Development) agreed that the Weed and Seed Program would temporarily move to the City for administrative oversight. Neighborhood Development will be responsible for the oversight responsibilities.

The Weed and Seed Program will continue to operate with two full time staff persons (with benefits) that will be paid out of the City's Capital Account. These staff persons will be housed at the City's Amay James Neighborhood Center. Major projects that the Weed and Seed staff is continuing to focus on include: the truancy reduction program, the Safe Haven Program and work with police and area businesses to reduce crime in the Weed and Seed neighborhoods. City staff is working with the Weed and Seed staff to develop a work plan and program goals for the new program year. The administrative changes will begin on June 1, 2001.

Background:

The Charlotte Weed and Seed Strategy was initiated in nine neighborhoods along the West Boulevard Corridor in 1998. The initiative represents a collaborative effort among the U. S. Justice Department, the City of Charlotte and the Charlotte Mecklenburg Police Department. The Weed and Seed neighborhoods include Dalton Village, Pinecrest, Ponderosa/Wilmon, Reid Park, Revolution Park, Westover Hills, Wilmore and West Boulevard.

The strategy entails both a “weeding out” of negative community influences such as crime, unemployment and truancy as well as “seeding” the community with restorative programs including employment training and referral, drug intervention and treatment programs, nuisance abatement and youth enrichment opportunities.

Cumulative funding over the first two years totaled \$475,000. Funding over the next three years will total approximately \$525,000. A progress report highlighting the program’s accomplishments through December 2000 is attached. An updated progress report will be available at the end of the fiscal year.

Attachment 25

Progress Report

24. Grant Application for Traffic Data Analyst

Action: A. Adopt a resolution authorizing the Police Department to apply for funds from the Governor’s Highway Safety Commission to fund a traffic data analyst; and

B. Adopt a budget ordinance appropriating \$24,865 in police assets forfeiture funds to cover the required 25% local match.

Staff Resource: Deputy Chief Glen Mowrey, Police

Explanation:

One of the Police Department’s major priorities is to provide comprehensive traffic enforcement and education programs that ultimately reduce the number of fatalities and collisions in Charlotte. In 2000, there were 91 traffic and pedestrian fatalities in Charlotte while there were 75 homicides.

In order to focus the department’s efforts on the locations, driving behaviors, and segments of the population that contribute to our traffic problems, the Police Department needs access to accurate and timely traffic accident data. The data, and accompanying GIS analysis, would allow the department to apply the hot spot concept to high accident intersections just as it currently does to locations with chronic crime problems.

To that end, the Police Department wishes to apply for a grant from the Governor's Highway Safety Commission to provide funds for a traffic analyst. The analyst would work with CDOT on the creation and maintenance of a traffic collision data base that would meet the needs of both departments. For the Police Department to meet its needs, the data would need to be current within 5-7 days. The Traffic Analyst would use the traffic data from the City data base as well as other sources such as AAA to create GIS maps of high collision intersections and locations where a high volume of citations are being written for a particular driving behavior. This information would be shared with the HITS Unit, the patrol districts, and CDOT who could then tailor their enforcement, education, and engineering efforts to the areas and driving behaviors where they would have the most impact.

The grant is for a three-year period. The City would pay 25% of the cost for the first year, 50% for the second year and 75% in the third year. The City share will be paid from assets forfeiture funds. Assuming that the position makes the expected contribution to the department's traffic goals, the Police Department will ask to make it a permanent position in year four. The first year cost of the grant is \$99,443.68 with a City share of \$24,865. The first year costs include the computer, workstation, and software for the analyst and funds to hire two temporary employees to update the current traffic collision data base maintained by CDOT.

The Governor's Highway Safety Commission requires a Council resolution, endorsing the application and approving matching funds, be submitted with the application.

Funding:

75% (74,583) from the Governor's Highway Safety Commission; 25% (24,865) from police assets forfeiture funds

25. Procurement Card Program Expansion

Action: Approve expansion of the Procurement Card Program to all Key Businesses in the City organization to streamline purchasing transactions under \$5,000.

Staff Resources: Susan Johnson, Business Support Services
John Trunk, Procurement Services Division
Jim Graham, Procurement Services Division

Focus Area: Restructuring Government

Explanation:

Procurement cards are designed for routine or recurring purchases and are a more simplified and efficient way to make small dollar purchases.

Procurement cards are a common practice in large private and public corporations because of the time and money saved with their usage.

A procurement card allows individual employees to buy goods and services necessary for doing their work much faster and with less paperwork than with a traditional purchase order. Similar to a credit card, purchases are made using an imprinted card and billing is consolidated into one bank statement. A debit for the total amount is made to the City's account on a predetermined date each month. There is no cost to the City for this service.

In October 1999, Council authorized a Pilot Procurement Card Program to be conducted at Charlotte-Mecklenburg Utilities. The pilot program's purpose was to determine the impact of using procurement cards for low-dollar purchases (less than \$5,000) prior to considering an expansion of the program City wide.

The pilot program in Utilities included 35 procurement cards, with a monthly average of 49 transactions and a transaction average amount of \$151.81. Single item purchases were limited during the pilot to \$1,500 or less. Examples of purchases made by Utilities employees during the pilot program include materials, supplies, computer peripherals, training materials, conference registrations, printed materials and water emergency response items. Based on the success of the pilot program, Business Support Services recommends expanding the program to all City Key Businesses.

Use of the procurement card would be limited to purchases under \$5,000. All purchases using procurement cards would be subject to the normal budgetary controls in each Key Business. In addition, special policies and procedures governing the use of the cards have been established and approved by the City's Internal Auditor. These policies define cardholder responsibilities, user training on proper card usage and require employees to sign a cardholder agreement. Key Business Executives would determine the types of vendor transactions permitted and the dollar levels appropriate for the individual cardholders depending on their job responsibilities. Transactions would be reconciled each month and would receive review and approval by two independent Key Business employees.

There are several major program benefits:

- Reduction in the internal processing costs associated with low-dollar purchases. The current internal cost associated with issuing a purchase order is \$151 per order.
- Reduction of employee travel time to acquire goods and services as the card is accepted countywide, giving employees access to the closest vendor.
- Reduction in the time required for the receipt of goods and services, as 12 of the 19 steps required for the requisition/purchase order/payment cycle are eliminated with card usage.

- Reduction in paperwork with on-line reconciliation of transactions. No further action is necessary for payment processing.

If expansion of the program to other Key Businesses is approved, implementation will occur at the rate of approximately one Key Business per month. The Procurement Services Division will administer and monitor the program to ensure its effectiveness and to ensure, along with Internal Audit, that all program policies and procedures are being followed.

26. Elizabeth Avenue Business Corridor

Action: Approve the agreement for \$134,458 with ColeJenest & Stone, P.A. for planning and preliminary design services for the Elizabeth Avenue Business Corridor Project.

Staff Resource: Tom Russell, Engineering & Property Management

Explanation:

Elizabeth Avenue has been identified to receive streetscape improvements under the Business Corridor Revitalization Program. Elizabeth Avenue is one of twelve corridors to receive improvements since the program began in 1988. This agreement will provide planning and partial preliminary design services including planting strips, street trees, landscaped medians, sidewalks, decorative lighting and bus shelters on Elizabeth Avenue from Kings Drive to Hawthorne Lane.

Funding:

Economic Development Capital Investment Plan

27. Emergency Management Grant

Action: A. Accept a grant from the Federal Emergency Management Agency (FEMA) in the amount of \$10,000 to assist in preparing for response to terrorist events; and

B. Adopt a budget ordinance appropriating \$10,000 in FEMA grant funds for preparedness and mitigation enhancements in response to incidents involving weapons of mass destruction.

Staff Resource: Wayne Broome, Fire/Emergency Management

Explanation:

To assist local communities in preparing for response to terrorist events, Congress established the weapons of mass destruction program coordinated by the United States Department of Justice and the Federal Emergency Management Agency (FEMA). This particular grant, issued by FEMA, may be used for enhancements to preparedness and mitigation procedures involving terrorism. These grant funds will be used to engage a contractor to provide plan development for a bio-medical mass casualty incident.

Funding:

No City matching funds are required and no ongoing City costs will be incurred.

28. Duke Energy Corporation Lease Agreement for a Corporate Aviation Facility

Action: Approve a ground lease agreement with Duke Energy Corporation of Charlotte, NC for a Corporate Aviation Facility at the Airport.

Staff Resource: Jerry Orr, Aviation

Explanation:

Duke Energy Corporation wants to lease a 3.3-acre tract of land in the north corporate aviation area to construct its corporate aviation facility. This facility will house Duke Energy's aircraft and also provide office and maintenance space. The following is a synopsis of the proposed lease:

- The leased premises is a 3.3 acre tract in the north corporate aviation area

- The Term is five years with seven, five-year renewals at option of lessee.
- The ground rent is \$5,300 per acre for a total of \$17,490 per year plus airport service fees of approximately \$86,000 per year. Ground rent escalates at five-year intervals.
- The lessee will pay fuel flowage fee (currently \$0.065 per gallon) to the Airport.
- The lessee will repay \$531,000 in site preparation costs incurred by the Airport (debt serviced over 20 years at 8%.)

The Airport Advisory Committee recommends this action.

29. Airport Expansion Budget Ordinance

Action: Adopt a budget ordinance appropriating \$1,483,468 from the Airport Discretionary Fund Balance to be repaid from the proceeds of future General Airport Revenue Bonds for airport expansion.

Staff Resource: Jerry Orr, Aviation

Explanation:

Over the past six months several contracts related to the construction of the airport expansion have been awarded and funded from the Airport's Operating Fund. This ordinance will fund these contracts from the Airport Discretionary Fund to be repaid from the proceeds of General Airport Revenue Bonds to be issued later this year.

Funding:

These funds will be replaced upon issuance of future general airport revenue bonds. The bonds will be repaid through airline rates and charges.

30. Resolution Accepting Federal Aviation Administration Grants and Budget Ordinance

- Action:**
- A. Adopt a resolution accepting a Federal Aviation Administration (FAA) grant in the amount of \$6,268,675;**
 - B. Adopt a budget ordinance to appropriate funds received from the FAA grant in the amount of \$6,268,675;**
 - C. Adopt a resolution accepting a Federal Aviation Administration (FAA) grant in the amount of \$7,961,220;**
 - D. Adopt a budget ordinance to appropriate funds received from the FAA grant in the amount of \$7,961,220 and to transfer \$7,960,000 of 1999 Series D General Airport Revenue Bonds to the Debt Service Fund.**

Staff Resource: Jerry Orr, Aviation

Explanation:

Each year the Airport qualifies for FAA entitlement funds based on passenger enplanements. The Airport's FY2001 entitlements are \$14,229,895.

\$6,268,675 of these funds will be used to reimburse the city for the construction of Ramp "E" and an airport beacon, and additional costs related to the Environmental Impact Statement for the new third parallel runway. This grant provides the federal share (75%) of projects previously approved by Council.

\$7,961,220 of these funds will be used to reimburse the Airport for 75% of the costs of a portion of the 1997 Master Plan Land Acquisition Program.

On December 2, 1999, the City issued \$88,805,000 in variable rate General Airport Revenue Bonds (Series D). Proceeds from these bonds will fund the acquisition of land previously approved by Council on April 28, 1997 as part of the Airport's 1997 Master Plan. It was the intent of the City to redeem up to \$60,000,000 of these bonds upon the receipt of Federal Grants over a period of nine years. This action is needed to transfer Bond Funds to the Debt Service Fund to redeem a portion of the outstanding debt.

31. Antenna Lease at 3701 Craig Avenue

Action: Approve lease agreement with Cricket Communications for placement of communication antenna at 3701 Craig Avenue (Tax Code 157-111-40).

Staff Resource: Kent Winslow, Engineering & Property Management

Policy: Asset Management

Explanation:

Cricket Communications has requested placement of transmission equipment at this location. Terms of this agreement are:

- Base monthly rent of \$1,800; first term revenue (five years) \$108,000.
- Five-year term with options to renew up to 25 years with a 20% increase in rent each term.

32. Antenna Lease at 6230 North Tryon Street

Action: Approve lease agreement with Cricket Communications for placement of communication antenna at 6230 North Tryon Street/232 Heathway Circle (Tax Code 049-391-06).

Staff Resource: Kent Winslow, Engineering & Property Management

Policy: Asset Management

Explanation:

Cricket Communications has requested placement of transmission equipment at this location. Terms of this agreement are:

- Base monthly rent of \$1,800; first term revenue (five years) \$108,000.
- Five-year term with options to renew up to 25 years with a 20% increase in rent each term.

33. Antenna Lease at 2035 Patton Avenue

Action: Approve lease agreement with Cricket Communications for placement of communication antenna at 2035 Patton Avenue (Tax Parcel 078-382-01).

Staff Resource: Kent Winslow, Engineering & Property Management

Policy: Asset Management

Explanation:

Cricket Communications has requested placement of transmission equipment at this location. Terms of this agreement are:

- Base monthly rent of \$1,800; first term revenue (five years) \$108,000
- Five-year term with options to renew up to 25 years with a 20% increase in rent each term.

34. Sale of City Owned Property Located at 4818 Carmel Road

Action: Approve the sale of City owned property located at 4818 Carmel Road (tax parcel 209-302-41) for \$183,000.

Staff Resource: Doris Moats, Engineering & Property Management

Policy: Asset Management

Explanation:

On November 27, 2000, City Council authorized this property for sale through the upset bid process. That process is completed and the successful bidders for this property are Etta Holly Martin and Eirthley Govan, Jr. There were no competing bidders.

The appraised value of 4818 Carmel Road is \$183,000. The property is zoned R-3. The dwelling is approximately 3,700 sq. ft. and the acreage is .454 acres.

This house was relocated due to the Carmel Road widening project. The buyer, Etta Holly Martin has lived in the property for six years and accepts the property in "As Is" condition.

35. Sale of City Owned Property at 10021 Providence Road West

Action: A. Declare 3.93± acres of City owned property located at 10021 Providence Road West (tax code 229-011-03) surplus; and

B. Authorize the advertisement of an offer to purchase and contract from Warren N. Ferguson for the purpose of receiving upset bids.

Staff Resource: Kent Winslow, Engineering & Property Management

Policy: Asset Management

Explanation:

The City owns 3.93± acres and a 1,510 square foot single-family ranch dwelling at 10021 Providence Road West. The City purchased the property in 1997 for use as temporary Fire Station #32 until completion of the new facility in 2000. The property is zoned R3. An independent appraisal establishes the market value at \$204,500.

An offer to purchase the property has been received for single-family residential use.

City Council may elect to sell this property either by the upset bid process or private negotiations using the Request for Proposals (RFP) process. Staff recommends authorizing the advertisement of the offer for the purpose of receiving upset bids.

36. Property Transactions

Action: Approve the following property acquisitions (A-F) and adopt the condemnation resolutions (G-I).

For acquisitions A-B, the purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for property with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

Acquisitions:

- A. Project:** Master Plan Land Acquisition
Owner(s): Foy M. Cox Heirs
Property Address: 8900 Old Dowd Road
Property to be acquired: 2.599 acres
Improvements: Vacant Land
Purchase Price: \$50,000
Remarks:
Zoned: RMH
Use: Vacant land
Tax Value: \$16,110
Tax Code: 113-091-04
- B. Project:** Master Plan Land Acquisition
Owner(s): Kenneth and Elaine Christenbury
Property Address: 7729 Old Dowd Road
Property to be acquired: 1.000 acres
Improvements: Single family residence
Purchase Price: \$100,000
Zoned: R3
Use: Single family residence
Tax Value: \$52,750
- C. Project:** Asbury Avenue Extension, Parcel #12
Owners(s): Habitat for Humanity
Property Address: 934 Patch Avenue
Property to be acquired: 7,500 sq.ft. (0.172 ac.) of fee simple acquisition
Improvements: None
Purchase Price: \$10,000

Remarks: Property needed for construction of the proposed Asbury Avenue Extension. Compensation is based upon an independent, certified appraisal.

Zoned: R-8

Use: Vacant

Total Parcel Tax Value: \$4,000

Tax Code: 077-191-11

- D. Project:** Asbury Avenue Extension, Parcel #52
Owners(s): Leroy Crosby
Property Address: 1120 McArthur Avenue
Property to be acquired: 18,300 sq.ft. (0.404 ac.) of fee simple acquisition
Improvements: None
Purchase Price: \$11,000
Remarks: Property needed for the construction of the proposed Asbury Avenue Extension project. Compensation based upon an independent, certified appraisal.
Zoned: R-8
Use: Single family residential/vacant
Total Parcel Tax Value: \$6,750
Tax Code: 077-194-06
- E. Project:** Asbury Avenue Extension, Parcel #75
Owners(s): Gregory Deas & Gregory A. Pattilo
Property Address: 1117 McArthur Avenue
Property to be acquired: 15,000 sq.ft. (0.344 ac.) of fee acquisition
Improvements: Single family residential
Purchase Price: \$42,000
Remarks: This total parcel is required for the construction of the Asbury Avenue project. Compensation is based upon an independent, certified appraisal.
Zoned: R-8
Use: Single family residential
Total Parcel Tax Value: \$35,520
Tax Code: 077-197-17
- F. Project:** Central Avenue/Kilborne Drive/Norland Road Intersection, Parcel #7
Owners(s): Samos Partnership, A North Carolina General Partnership, C. Morris Newell, General Partner
Property Address: 4351 Central Avenue
Property to be acquired: 3,568 (0.082 ac.) of fee acquisition, permanent utility easement plus 7,580 sq.ft. (0.174 ac.) of temporary construction easement
Improvements: Sign
Purchase Price: \$70,275

Remarks: This acquisition is needed for the intersection improvements at Central Avenue/Kilborne Drive/Norland Road. Compensation was determined by an independent, certified appraisal.
Zoned: B-1
Use: CVS Drug Store
Total Parcel Tax Value: \$1,237,250
Tax Code: 101-173-42

Condemnations:

- G. Project:** Asbury Avenue Extension, Parcel #77 & 78
Owner(s): Haim Azizy and any other parties of interest
Property Address: 1201 & 1207 McArthur Avenue
Property to be acquired: 15,000 sq.ft. (.344 ac.)
Improvements: One story single residence
Purchase Price: \$43,000
Remarks: This total parcel is required for the construction of the Asbury Avenue Extension. Acquisition price is established by an independent, certified appraisal. City staff has been unable to reach a negotiated settlement with the property owner.
Zoned: R-8
Use: Single family residential
Total Parcel Tax Value: \$38,190
Tax Code: 077-197-19 & 20
- H. Project:** Asbury Avenue Extension, Parcel #79
Owner(s): Cecil L. Neal & any other parties of interest
Property Address: 1211 McArthur Avenue
Property to be acquired: 7,500 sq.ft. (.172 ac.)
Improvements: None
Purchase Price: \$8,200
Remarks: This total parcel is required for the construction of the Asbury Avenue Extension. Acquisition price is established by an independent, certified appraisal. City staff has been unable to reach a negotiated settlement with the property owner.
Zoned: R-8
Use: Single family residential/vacant
Total Parcel Tax Value: \$4,000
Tax Code: 077-197-21
- I. Project:** McAlpine Creek Relief Sewer, Parcel #19
Owner(s): Daniel K. Grotzky and wf., Pamela L. Grotzky and any other parties of interest
Property Address: 5042 Sentinel Post Road
Property to be acquired: 8,442 sq.ft. (0.193 ac.)
Improvements: None
Purchase Price: \$4,175
Remarks: The areas are needed for the construction of McAlpine Creek Relief Sewer. City staff has yet to reach an agreement with the

property owner after numerous contacts and negotiations.
Condemnation amount is based on an independent, certified appraisal.

Zoned: R-3

Use: Single family residential

Total Parcel Tax Value: \$368,810

Tax Code: 211-175-24

37. Meeting Minutes

Action: Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:

- April 30, 2001 Arena Workshop